IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5965 OF 2005

Ratnakar Narayan Shetty ...Applicant

vs.

State of Maharashtra ...Respondent

Mr.Vijay Desai for the Applicant
Mr.R.Y.Mirza,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 14,2005

P.C.:

1. Heard Advocate for the Applicant and the learned A.P.P. for state.

2. The Advocate for the Applicant submitted that the Applicant is the owner of 'Laxmi Bar and Restaurant' and he has given the business to one Mr.Jayraj Subana Hegde for conducting. The Advocate for the Applicant submitted that the Applicant is not responsible for what happened in the Bar and Restaurant.

3. The allegation of the prosecution is that the police raided the Bar and Restaurant and found that certain girls were doing the act of dancing in an indecent manner to attract the customers. Perusal of the investigation papers shows that there is some material on record to show that the Applicant is running the Bar and Restaurant. The Applicant has not placed

on record any document to show that he has appointed one Mr.Hegde as a conductor of business. Reliance placed by the Applicant on notice dated 23rd August 2005 will not help the Applicant as in the said notice it is not stated that somebody else is the conductor of the business. The offence registered is on the basis of raid conducted in the Bar and Restaurant of which the Applicant is admittedly the owner. In absence of any material on record to show that he has entered into any agreement in favour of any third party, the Applicant cannot be protected. No case is made out for grant of anticipatory bail and the same is rejected.

JUDGE